

REMARKS

Claims 1, 2, 5-9, 12-17, 19, 21-23, 25-31, 33-38, and 40-43 are pending. Claims 1, 5, 8, 12, 15, 21, 23, 25-28, 30, 33, 37, and 40 have been previously amended. Claims 3, 4, 10, 11, 18, 20, 24, 32, and 39 have been previously cancelled. No new matter has been introduced. Reexamination and reconsideration of the application are respectfully requested.

The Examiner rejected claims 5, 12, and 21 under 35 U.S.C. §103 (a) as being unpatentable over Kim, US PG Pub 2004/0093461, in view of Brucke, US PG Pub 2005/0088894. The Examiner rejected claims 1-2, 6-9, 13-15, 23, 25-31, 33-38, and 40-43 under 35 U.S.C. §103 (a) as being unpatentable over Kim, US PG Pub 2004/0093461, in view of Proebsting, US Patent 6,871,261, further in view of Brucke, US PG Pub 2005/0088894. The Examiner rejected claims 16-17, 19, and 22 under 35 U.S.C. §103 (a) as being unpatentable over Kim, Proebsting, and Brucke as applied to claims 1-2, 6-9, 13-15, 23, 25-31, 33-38, and 40-43 above, in view of Zheng, US Patent 6,195,303. The Examiner's rejections are respectfully traversed.

The declaration and exhibit enclosed herewith show that a draft of the present application was mailed and emailed to the inventor on October 23, 2003. The draft application was substantially identical to the application as filed. The application was constructively reduced to practice when filed on November 14, 2003. Thus the date of invention is at least as early as October 23, 2003. The Brucke reference was filed on October 23, 2003. Thus, the Brucke reference was not filed *before* the Applicant's date of invention. The Brucke reference is therefore not prior art. Based upon this, Applicant requests that the rejection of claims 1, 2, 5-9, 12-17, 19, 21-23, 25-31, 33-38,

and 40-43 based on the Brucke reference be withdrawn.

Applicant believes that the foregoing remarks place the application in condition for allowance, and a favorable action is respectfully requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

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Encls: Rule 131 Declaration with Attachments.